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10/729,083	12/04/2003	Woo Seong Yoon	1630-0410PUS1	8790
2292 7590 11/30/2009 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER DANG, HUNG Q				
ART UNIT 2621		PAPER NUMBER		
NOTIFICATION DATE 11/30/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

### Office Action Summary

**Application No.**

10/729,083

**Applicant(s)**

YOON ET AL.

**Examiner**

Hung Q. Dang

**Art Unit**

2621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 4-8 and 10-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4-8, and 10-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 08/17/2009 have been fully considered but they are not persuasive.

On pages 6-7, Applicant argues that Briscoe does not disclose the claimed attribute information indicating image types and an aspect ratio for the auxiliary content data as claimed in the present invention and does not teach or suggest playback control information including an address information indicating a location of auxiliary control data.

In response, the Examiner respectfully disagrees. At least in Fig. 2, Briscoe discloses a typical HTML/JavaScript segment that can be used as playback control information as disclosed by Lamkin. Such playback control information comprises various tags and associated attribute information which indicate the location of the auxiliary contents data (given by the SRC="..." attributes), aspect ratio of the image, in case the auxiliary contents data is an image, (given by the WIDTH and HEIGHT attributes), and the type of the image (given by file extension GIF).

Therefore, Applicant's arguments are not persuasive.

### ***Claim Objections***

**Claims 10-11 and 20-21 are objected to because of the following informalities:**

Claim 10 recites, "...if the image types indicates ...", which should be "... if the image types indicate..." .

Claim 11 recites "wherein the aspect ratios ..." which should be "wherein the aspect ratio..."

Claim 20 is objected for the same reason as discussed in claim 10 above.

Claim 21 is objected for the same reason as discussed in claim 11 above.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 4-8, and 10-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamkin et al. (US 2002/0078144 – hereinafter Lamkin) and Briscoe et al. (US Patent 7,216,149 – hereinafter Briscoe).**

Regarding claim 1, Lamkin discloses a method of reproducing auxiliary contents data in a reproducing apparatus ([0065]; [0068]; [0071]; [0094]), comprising: receiving a playback control information for the auxiliary contents data for audio/video (A/V) data from an external server ([0095]; [0099]; [0104]; [0182] – *wherein the HTML pages and/or JavaScript scripts are interpreted as the playback control information - at least the graphics and/or pictures defined in the HTML pages are interpreted as auxiliary contents data as further described in [0062]; [0094]; [0163]; [0173]; [0178]; [0205]; Figs. 9-10*); checking attribute information to determine a presentation method for the

auxiliary contents data ([0095]; [0129]; [0139]; [0152]); and presenting the auxiliary contents data according to the determined presentation method ([0095]; [0152]).

However, Lamkin does not explicitly disclose the playback control information including an address information for indicating a location of the auxiliary contents data and attribute information for indicating image types and an aspect ratio for the auxiliary contents data and storing the playback control information in one region among at least two logically divided regions of a buffer memory.

Briscoe discloses playback control information including an address information for indicating a location of the auxiliary contents data and attribute information for indicating image types and an aspect ratio for the auxiliary contents data (*Fig. 2; column 7, lines 39-50 – wherein the SRC attributes gives the address information of the auxiliary contents data, which is an image – also either the IMG tag or the file extension, which is a GIF image in this case, gives the image type – the values of WIDTH and HEIGHT attributes give an aspect ratio for the auxiliary contents data*) and storing the playback control information in one region among at least two logically divided regions of a buffer memory (*column 4, lines 46-55 – wherein the logically divided regions are set by users to configure an amount of space devoted to buffering*).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the teachings of Briscoe et al. into the method disclosed by Lamkin in order to define attribute information so as to be compliant and compatible with existing HTML standard. Also, the incorporated feature of buffering data would provide users with fast data access over the network.

Regarding claim 4, Lamkin also discloses the playback control information is further pre-recorded on the interactive recording medium, and wherein the receiving step comprises receiving the playback control information from the recording medium ([0094]-[0095]; [0099]; [0104]; [0129]; [0139]).

Regarding claim 5, Lamkin also discloses the auxiliary contents data is organized into one or more files ([0152]; [0154]; [0160]; [0163]; [0164]; [0173]; [0175]; [0178]).

Regarding claim 6, Lamkin and Briscoe also disclose the attribute information is included in the names of the files containing the auxiliary contents data (Lamkin: [0152]; [0154]; [0160]; [0163]; [0164]; [0173]; [0175]; [0178] – at least “html” extension corresponds to the “attribute information”. Briscoe: Fig. 2; column 7, lines 39-50 – wherein the file extension GIF is also interpreted as attribute information).

Regarding claim 7, Lamkin also discloses the attribute information is included in meta tag information in the header area of the files containing the auxiliary contents data ([0152]).

Regarding claim 8, Briscoe also discloses Briscoe et al. disclose the attribute information is included in tag information arbitrarily positioned within the HTML files containing the auxiliary contents data as image tag information (Fig. 2; column 7, lines 39-50).

Regarding claim 10, Briscoe also discloses the image types indicate whether the images for presenting the auxiliary contents data are square or not (Fig. 2; column 7, lines 39-50 – whether the images are square or not is indicated by the values of attributes WIDTH and HEIGHT), wherein the presenting step comprises presenting the

auxiliary contents data as images according to a defined aspect ratio (*Fig. 2; column 7, lines 39-50 – wherein the aspect ratio of the image is given by the values of attributes WIDTH and HEIGHT*). Lamkin and Briscoe do not explicitly presenting the auxiliary contents data as square images if the image types indicate the images are square.

Official Notice is taken that the contents designers can design to present a square image by setting the respective values of WIDTH and HEIGHT attributes to indicate a square aspect ratio to a browser according to their intentions.

Regarding claim 11, Briscoe et al. also disclose the aspect ratios indicate whether the aspect ratios of the images for presenting the auxiliary contents data are either 4:3 or 16:9 (*Fig. 2; column 7, lines 39-50 – whether the images are either 4:3 or 16:9 is indicated by the values of attributes WIDTH and HEIGHT*), wherein the presenting step comprises presenting the auxiliary contents data as images according to the aspect ratio (*Fig. 2; column 7, lines 39-50 – wherein the dimension of the image is given by the values of attributes WIDTH and HEIGHT*). Lamkin and Briscoe do not explicitly presenting the auxiliary contents data as 4:3 or 16:9 according to the aspect ratio.

Official Notice is taken that the contents designers can design to present a 4:3 or 16:9 image by setting the respective values of WIDTH and HEIGHT attributes to indicate a 4:3 or 16:9 aspect ratio to a browser according to their intentions.

Regarding claim 12, Lamkin and Briscoe also disclose the auxiliary contents data is pre-recorded on the interactive recording medium or provided by an external server through a communication network and wherein the storing step includes storing the

auxiliary contents data into the buffer memory (*Lamkin: [0104]. Briscoe: column 4, lines 46-55; column 9, lines 30-36*).

Regarding claim 13, Lamkin also discloses wherein the determining and presenting step outputs the auxiliary contents data in conjunction with the A/V data reproduced from the interactive recording medium (*[0068]; [0099]; [0104]*).

Claim 14 is rejected for the same reason as discussed in claim 1 above.

Claim 15 is rejected for the same reason as discussed in claim 4 above.

Claim 16 is rejected for the same reason as discussed in claim 5 above.

Claim 17 is rejected for the same reason as discussed in claim 6 above.

Claim 18 is rejected for the same reason as discussed in claim 7 above.

Claim 19 is rejected for the same reason as discussed in claim 8 above.

Claim 20 is rejected for the same reason as discussed in claim 10 above.

Claim 21 is rejected for the same reason as discussed in claim 11 above.

Claim 22 is rejected for the same reason as discussed in claim 12 above.

Claim 23 is rejected for the same reason as discussed in claim 13 above.



***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571)270-1116. The examiner can normally be reached on IFT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung Q Dang/  
Examiner, Art Unit 2621

/Thai Tran/  
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